

105TH CONGRESS
1ST SESSION

S. 954

To assure competition in telecommunications markets.

IN THE SENATE OF THE UNITED STATES

JUNE 24, 1997

Mr. KERREY introduced the following bill; which was read twice and referred
to the Committee on the Judiciary

A BILL

To assure competition in telecommunications markets.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Telecommunications
5 Monopoly Prevention Act”.

6 **SEC. 2. CONTRIBUTION TO COMPETITION.**

7 Any merger, takeover, or acquisition involving two or
8 more large telecommunications companies shall not be ap-
9 proved by the Attorney General unless the Attorney Gen-
10 eral finds that such combination would significantly en-
11 hance competition in the telecommunications markets
12 served by the companies involved in the transaction.

1 **SEC. 3. POTENTIAL COMPETITION.**

2 In making a determination under this Act, the Attor-
3 ney General shall fully consider the loss of potential com-
4 petition should a combination covered by this Act be ap-
5 proved.

6 **SEC. 4. REPORT TO CONGRESS.**

7 Within 6 months from the date of enactment and
8 each year thereafter, the Attorney General shall report to
9 the Congress and the President on competition in markets
10 where combinations of large telecommunications carriers
11 have been approved since the enactment of the Tele-
12 communications Act of 1996.

13 **SEC. 5. DEFINITION.**

14 For the purposes of this Act, the term “large tele-
15 communications company” shall include—

16 (1) local exchange carriers serving more than 2
17 percent of the Nation’s subscriber lines installed in
18 the aggregate nationwide;

19 (2) facilities based interexchange carriers serv-
20 ing more than 10 percent of the long distance mar-
21 ket nationwide;

22 (3) provider of video services which provides
23 service to more than 1 percent of households nation-
24 wide;

25 (4) a provider of Direct Broadcast Satellite
26 Service; or

- 1 (5) a provider of telecommunications services
2 owned or controlled by a foreign government.

